

17TH GROUND.

J. E. DUFFY, Sworn for the State. I am the J. E. Duffy who was a witness on the trial of the State vs. Leo M. Frank. My evidence was as follows: "I worked at the National Pencil Company. I was hurt there in the metal department. I was cut on my fore-finger on the left hand. That is the cut right around there (indicating). It never cut off any of my fingers. I went to the office to have it dressed. It was bleeding pretty freely. A few drops of blood dropped on the floor at the machine where I was hurt. The blood did not drop anywhere else except at that machine. None of it dropped near the ladies dressing room, or the water cooler. I had a large piece of cotton wrapped around my finger. When I was first cut I just slapped a piece of cotton waste on my hand.

CROSS EXAMINATION. "I never saw any blood anywhere except at the machine. I went from the office to the Atlanta Hospital to have my finger attended to."

That statement is the truth. The reason I changed my evidence was because C. W. Burke first came to see me. My brother-in-law, Mell Arnold, came one day where I was working and told me that a man by the name of L. P. Eubanks wanted to see me that night at his (Eubank's) house. Mr. Burke was there and met me with Eubanks, that being the second time I had seen Burke. Burke went ahead and wrote out a paper and had me sign it. That paper was false. Burke did not pay me anything, but promised me that he would get me a job paying me \$15.00 a week until he got me a job working with the Southern Railroad again, if I would sign the affidavit. I borrowed \$5.00 from of L. P. Eubanks before I made this statement and Eubanks told me if I wanted money I could get it from him and he would take my notes for it. Sometime about a year ago myself, L. P. Eubanks, Mell Arnold and B. C. Duffy (my father) were arrested for alleged car breaking. Eubanks is the man who swore against the crowd and secured the indictments. At that time C. W. Burke was the special agent of the Southern Railroad and had charge of the prosecution. It was through Burke that Eubanks' case and the cases against the other men mentioned was noprossed. Eubanks, in this prosecution, was Burke's head witness in all these cases. A fellow by the name of Fritz Lynn and Jim Wren took me Thursday night, April 30 to my mother-in-law's house at 332 Barnett Street. This was sometime before 12 o'clock. I could not get in the house and took a street car to my own home. When I got home I saw Jim Wren and Lynn in an automobile in front of my house. I whistled and they came up to where I was. I told them I could not get in my mother-in-law's house. Then they put me in the automobile and after driving around town a little bit and giving me supper, etc. they then took me to Austell, Ga. All the sleeping I did that night was done in the automobile. The automobile was stopped on the side of the road and all of us went to sleep. The next morning we spent in Austell. Wren and I stayed in Austell and Lynn came back. Lynn is the man who drives the automobile for C. W. Burke and Jim Wren is working on the case for C. W. Burke. Wren bore all expenses. Last night, May 1st, Lynn, came to Austell and brought me back to Atlanta to the Capital City Chair Company on Marietta St. That was around 9 o'clock. There were a number of people gathered there, all of whom I took to be Jews, about eight or ten in all. They asked me all about my connection with the case. I told them all about it, and told them that Burke had promised to keep me out of jail if I would sign the affidavit which I had signed for Burke, and to get me out of any trouble of any kind in which I got. The other day, when Mr. N. A. Garner came out to ask me to come to Mr. Dorsey's office, I told him I would come if I could, but I did not come. Afterwards when Mr. Garner came to serve me with a subpoena I saw him and dodged.